

IN THE CLAIMS:

Please cancel claim 1 and add new claims 32-60, as follows:

Claims 1-31 (Canceled).

32. (New) A chimeric nonhuman/human antibody or a fragment, a region, or a derivative thereof, wherein the chimeric antibody:

- (a) binds to lipoteichoic acid of Gram positive bacteria;
- (b) enhances opsonization of Gram positive bacteria by 75% or more over background; and
- (c) confers a statistically significant enhancement of survival in a lethal animal model.

33. (New) A chimeric nonhuman/human antibody or a fragment, a region, or a derivative thereof, wherein the chimeric antibody:

- (a) binds to lipoteichoic acid of Gram positive bacteria; and
- (b) enhances the opsonization of Gram positive bacteria by 75% or more over background.

34. (New) The antibody of claim 33, wherein the chimeric antibody binds to lipoteichoic acid at a level that is twice the background or greater.

35. (New) The antibody of claim 33, wherein the chimeric antibody further recognizes a peptide sequence chosen from:

W R M Y F S H R H A H L R S P (SEQ ID NO 1); and

W H W R H R I P L Q L A A G R (SEQ ID NO 2).

36. (New) The antibody of claim 35, wherein the chimeric antibody binds to lipoteichoic acid at a level that is twice the background or greater.

37. (New) The antibody of claim 33, wherein the chimeric antibody is an IgG isotype or an IgM isotype.

38. (New) The antibody of claim 33, wherein the fragment of the chimeric antibody is chosen from at least one of Fab, Fab', F(ab')₂, and SFv.

39. (New) The antibody of claim 33, wherein the chimeric antibody enhances survival in a lethal animal model by 10% or more over animals not treated with the antibody.

40. (New) The antibody of claim 39, wherein the chimeric antibody further recognizes a peptide sequence chosen from:

W R M Y F S H R H A H L R S P (SEQ ID NO: 1); and

W H W R H R I P L Q L A A G R (SEQ ID NO: 2).

41. (New) The antibody of claim 33, wherein the chimeric antibody's Complementarity Determining Regions correspond to at least one of the Complementarity Determining Regions of Figure 12.

42. (New) The antibody of claim 41, wherein the Complementarity Determining Region amino acid sequences are at least 70% homologous to the Complementarity Determining Region amino acid sequences chosen from at least one of:

(a) amino acids 31-35 of SEQ ID NO. 87, amino acids 50-68 of SEQ ID NO.

87, and amino acids 101-112 of SEQ ID NO. 87;

and wherein the Complementarity Determining Region amino acid sequences are at least 70% homologous to the Complementarity Determining Region amino acid sequences further chosen from at least one of:

(b) amino acids 24-33 of SEQ ID NO. 89 , amino acids 49-55 of SEQ ID NO. 89, and amino acids 88-96 of SEQ ID NO. 89.

43. (New) A chimeric nonhuman/human antibody or a fragment, a region, or a derivative thereof, comprising at least part of a human immunoglobulin constant region and at least part of a nonhuman immunoglobulin variable region having specificity to lipoteichoic acid of Gram positive bacteria, wherein the chimeric antibody:

(a) binds to lipoteichoic acid of Gram positive bacteria; and

(b) enhances the opsonization of Gram positive bacteria by 75% or more over background.

44. (New) The antibody of claim 43, wherein the chimeric antibody binds to lipoteichoic acid at a level that is twice the background or greater.

45. (New) The antibody of claim 43, wherein the chimeric antibody further recognizes a peptide sequence chosen from:

W R M Y F S H R H A H L R S P (SEQ ID NO 1); and

W H W R H R I P L Q L A A G R (SEQ ID NO 2).

46. (New) The antibody of claims 43, 44, or 45, wherein the nonhuman immunoglobulin variable region is the nonhuman immunoglobulin variable region of monoclonal antibody 96-110.

47. (New) The antibody of claim 43, wherein the human immunoglobulin constant region is subclass IgG1.

48. (New) The antibody of claim 43, wherein the chimeric antibody is an IgG isotype or an IgM isotype.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER ^{LLP}

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

49. (New) The antibody of claim 43, wherein the fragment of the chimeric antibody is chosen from at least one of Fab, Fab', F(ab')₂, and SFv.

50. (New) The antibody of claim 43, wherein the chimeric antibody enhances survival in a lethal animal model by 10% or more over animals not treated with the antibody.

51. (New) The antibody of claim 50, wherein the chimeric antibody further recognizes a peptide sequence chosen from:

W R M Y F S H R H A H L R S P (SEQ ID NO: 1); and

W H W R H R I P L Q L A A G R (SEQ ID NO: 2).

52. (New) The antibody of claim 43, wherein the chimeric antibody's Complementarity Determining Regions correspond to at least one of the Complementarity Determining Regions of Figure 12.

53. (New) The antibody of claim 52, wherein the Complementarity Determining Region amino acid sequences are at least 70% homologous to the Complementarity Determining Region amino acid sequences chosen from at least one of:

(a) amino acids 31-35 of SEQ ID NO. 87, amino acids 50-68 of SEQ ID NO. 87, and amino acids 101-112 of SEQ ID NO. 87;

and wherein the Complementarity Determining Region amino acid sequences are at least 70% homologous to the Complementarity Determining Region amino acid sequences further chosen from at least one of:

(b) amino acids 24-33 of SEQ ID NO. 89, amino acids 49-55 of SEQ ID NO. 89, and amino acids 88-96 of SEQ ID NO. 89.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER ^{LLP}

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

54. (New) A composition comprising at least one of the antibodies of claims 32, 33, or 43 and a pharmaceutically acceptable carrier.

55. (New) A composition comprising a fragment, a region, or a derivative of at least one of the antibodies of claims 32, 33, or 43, and a pharmaceutically acceptable carrier.

56. (New) The composition of claim 55, wherein the fragment of the antibody is chosen from at least one of Fab, Fab', F(ab')₂, and SFv.

57. (New) The composition of 55, wherein the region is a Complementarity Determining Region.

58. (New) The composition of 55, wherein the derivative is comprised of proteins or peptides encoded by truncated or modified antibody genes.

59. (New) A murine monoclonal antibody, wherein the monoclonal antibody comprises monoclonal antibody 96-110.

60. (New) The antibody of claim 59, wherein a fragment of the monoclonal antibody is chosen from at least one of Fab, Fab', F(ab')₂, and SFv.